IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE P.R.RAMAN
&
THE HONOURABLE MR. JUSTICE V.K.MOHANAN

MONDAY, THE 1ST OCTOBER 2007 / 9TH ASWINA 1929

AS.No. 340 of 1996()

OS.70/1989 of SUB COURT, PAYYANNUR
.....

APPELLANT/PLAINTIFF:
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1. RAMANTHALI SREE SANKARA NARAYANA,
DEVASWOM REP. BY ITS MANAGER,
RAMANTHALI AMSOM DESOM.

BY ADV. SRI.K.V.SOHAN

RESPONDENTS:
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1. KOYYODAN KANNAN, AGED 50 YEARS,
S/O.KARIMBAN, AGRICULTURISTS,
VENGARA, RAMANTHALI AMSOM,
PALAKKODE DESOM, P.O.PALAKKODE.

2. KOYYODAN KORAN, AGED 35 YEARS,
S/O. .DO. .DO.

3. KOYYODAN MADHAVI, AGED 30 YEARS,
D/O. .DO. .DO.

4. V.C.BEEKUNHI, AGED NOT KNOWN,
W/O.KASMI, .DO.

5. SEFFIYA, AGE NOT KNOWN,
W/O.K.C.ABDULKHADER,
.DO.

R2 TO 5 BY ADV. SMT.VIDHYA. A.C

THIS APPEAL SUITS HAVING BEEN FINALLY HEARD
ON 01/10/2007, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:

P.R.RAMAN &
V.K.MOHANAN, JJ.

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A.S. No.340 of 1996

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Dated this the 1st day of October, 2007.

JUDGMENT

Raman, J.

On 5.9.2007 one week's time was granted as last chance for curing the defect. The matter again came up on 12.9.2007, on which date it was noticed that fresh step for first respondent was not taken. Hence the defect was not cured. Counsel prayed for time. Again one week's time was granted on condition to pay Rs.250/- as cost to the Kerala High Court Legal Services Committee. But no Memo is filed to show that the cost so directed has been paid. Fresh steps were also not taken. The defect still continues. In the circumstances, the appeal is dismissed for non-prosecution.

P.R.RAMAN
Judge

V.K.MOHANAN
Judge

pms